

ENVIRONMENTAL ASSESSMENT

ALASKA COASTAL MANAGEMENT PLAN

Incorporation of Revised Coastal District Management Plans for the Cities of Skagway, Hoonah, and Pelican; and Deletion of Coastal District Management Plans for the Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul with Associated Areas Meriting Special Attention

DECEMBER 2006





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
PROGRAM PLANNING AND INTEGRATION
Silver Spring, Maryland 20910

JAN - 4 2007

To All Interested Government Agencies and Public Groups:

Under the National Environmental Policy Act, an environmental review has been performed on the following action:

TITLE: Environmental Assessment for Alaska Coastal Management Program: Incorporation of Revised Coastal District Management Plans for Cities of Skagway, Hoonah, and Pelican; and Deletion of Coastal District Management Plans for Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul with Associated Areas Meriting Special Attention

LOCATION: The Cities of Skagway, Hoonah, Pelican, Angoon, Hydaburg, Kake, Klawock, and St. Paul, Alaska and outer-district areas formerly designated as Areas Meriting Special Attention

SUMMARY: The Alaska Coastal Management Program (ACMP) has submitted a request to the National Oceanic and Atmospheric Administration (NOAA) to approve revisions to three revised district coastal management plans, and deletion of five coastal district management plans and nine associated Areas Meriting Special Attention (AMSA). Pursuant to Section 306(g) of the Coastal Zone Management Act of 1972, as amended (CZMA) and Office of Ocean and Coastal Resource Management (OCRM) regulations (15 C.F.R. part 923, subpart H), OCRM is required to approve any amendment, modification, or other change to a federally-approved coastal management program, including revisions to a state's local coastal programs. Approval of the ACMP routine program change request would result in revisions to the coastal district management plans for the Alaskan cities of Skagway, Hoonah and Pelican, and the deletion of coastal district management plans and associated AMSA for the Alaska cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul. The practical effect will be to make the revised district coastal management plans consistent with recently OCRM-approved revisions to the ACMP, and delete coastal district management plans for cities that have selected to no longer participate at the local level in the ACMP.

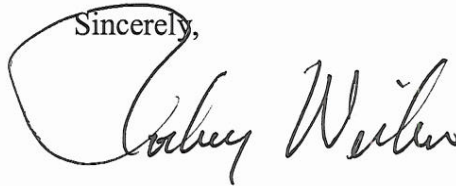
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The environmental review process led us to conclude that this action will not have a significant impact on the human environment. Therefore, an environmental impact statement was not prepared. A copy of the finding of no significant impact, including the



environmental assessment, is enclosed for your information. Please submit any written comments to the responsible official named above.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Weiher". The signature is fluid and cursive, with the first name "Rodney" written in a larger, more prominent script than the last name "Weiher".

Rodney F. Weiher, Ph.D.
NEPA Coordinator

Enclosure

DESIGNATION: Environmental Assessment

TITLE: Alaska Coastal Management Program: Incorporation of Revised Coastal District Management Plans for Cities of Skagway, Hoonah, and Pelican; and Deletion of Coastal District Management Plans for Cities of Angoon, Hydaburg, Kake, Klawock and St. Paul with Associated Areas Meriting Special Attention

ABSTRACT: This environmental assessment is prepared pursuant to the National Environmental Policy Act (NEPA) U.S.C. 4321 et.seq. to assess the environmental impacts associated with the approval and implementation a program change to the Alaska Coastal Management Program (ACMP) to incorporate three revised district coastal management plans and delete five coastal district management plans and nine associated Areas Meriting Special Attention (AMSA) of the Alaska Coastal Management Program (ACMP) submitted to the National Oceanic and Atmospheric Administration (NOAA) by the State of Alaska. Pursuant to Section 306(g) of the Coastal Zone Management Act of 1972, as amended (CZMA) (16 U.S.C. §§ 1451-1465) and OCRM regulations (15 C.F.R. part 923, subpart H), OCRM is required to approve any amendment, modification, or other change to a federally approved Coastal Management Program (CMP). This includes additions of, or revisions to, enforceable local coastal programs incorporated into a state coastal management program, coastal boundary, and new or revised Special Area Management Plans (15 C.F.R. part 923, subpart D).

For purposes of this environmental assessment, the proposed action is approval of the revisions to coastal district management plans for the cities of Skagway, Hoonah, and Pelican and deletion from the ACMP of coastal district management plans for the cities of Angoon, Hydaburg, Kake, Klawock and St. Paul and their associated AMSA (Mitchell Bay, Hood Bay, Chaik-Whitewater Bay, Hydaburg River-Tidelands, Meares Passage-Arena Cove, McFarland Islands-Dunbar Inlet, Saltery Point-Crab Trap Cove, Hetta Cove-Eek Inlet, and Jackson Island). Alaska's coastal zone boundary will not be affected by these changes and state policies will continue to apply, even in the absence of district coastal management plans. The cities that have submitted revised district coastal management plans will continue participating in the ACMP process, however their representation in ACMP policy decisions will be more limited as discussed in the *Final Environmental Impact Statement for OCRM's Review of Amendments to the ACMP* (November 2005). For those districts whose district plans are deleted from the ACMP, the practical effect will be the application of statewide ACMP policies within their boundaries, less site-specific district enforceable policies, and no district participation in the state and federal consistency review process. In addition, some AMSA that were designated for their historic and environmental importance to subsistence uses and resources may receive reduced management effort under the proposed program change.

NOAA finds that the ACMP has met the requirements for submitting a routine program change to OCRM and proposes to approve the program change. The approval of the revisions to and deletion of district coastal management plans and AMSA will not result in any environmental impacts different from those analyzed in the attached environmental assessment.

LEAD AGENCY: U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Ocean Service

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LIST OF ACRONYMS

ACMP	Alaska Coastal Management Program
ADFG	Alaska Department of Fish and Game
AMSA	Areas Meriting Special Attention
CMP	Coastal Management Program
CZMA	Coastal Zone Management Act of 1972, as revised
DEIS	Draft Environmental Impact Statement
DNR	Alaska Department of Natural Resources
EA	Environmental Assessment
EO	Executive Order
FEIS	Final Environmental Impact Statement
FONSI	Finding of No Significant Impact
HB	House Bill
NAO	NOAA Administrative Order
NEPA	National Environmental Policy Act
NOAA	National Oceanic and Atmospheric Administration
NOS	National Ocean Service
OCRM	Office of Ocean and Coastal Resource Management
SB	Senate Bill
TRUCS	Tongrass Resource Use Cooperative Study
USFS	United State Forest Service

SUMMARY

The proposed federal action is the Office of Ocean and Coastal Resource Management's (OCRM) approval of a routine program change incorporating three revised district coastal management plans and deleting five district coastal management plans and nine associated Areas Meriting Special Attention (AMSA¹) into the Alaska Coastal Management Program (ACMP). OCRM proposed to take this action pursuant to section 306(g) of the Coastal Zone Management Act of 1972, as amended (CZMA) and OCRM regulations on amendments to approved state coastal zone management programs, 15 C.F.R. part 923, subpart H. Approval of the program change would allow federal funding for implementation of the ACMP and the State's use of the revised district enforceable policies in the cities of Skagway, Hoonah, and Pelican. State enforceable policies in the cities of Angoon, Hydaburg, Kake, Klawock and St. Paul and throughout the former AMSAs will continue to be available for federal consistency under section 307 of the CZMA, 16 USC §1465.

The National Environmental Policy Act of 1969, as amended (NEPA), 42 U.S.C. §4321 et seq., requires federal agencies to assess the environmental impacts of proposed major actions significantly affecting the quality of the human environment. Federal approval of the State's incorporation of the revised and deleted district coastal management plans and AMSA is being reviewed to determine whether it is a major federal action requiring an EIS. In November 2005, OCRM approved an amendment to the Alaska Coastal Management Program (ACMP) and prepared draft and final environmental impact statements (DEIS and FEIS) to satisfy the requirements of NEPA. That amendment included incorporation of statutory amendment AS 46.39 and 46.40 (House Bill 191 Chapter 24 SLA 2003 and Senate Bill 102 Chapter 31 SLA 2005), which, in part, required all coastal districts to revise and submit their district coastal management plans and AMSA to the Alaska Department of Natural Resources (DNR) by March 1, 2006. This Environmental Assessment (EA) relies in part on the programmatic FEIS for a broader discussion of the affected environment, alternatives considered, and environmental consequences of the proposed federal action. It supplements FEIS information as necessary to describe the additional changes to local district plans proposed by Alaska. The EA addresses issues relevant to implementation of the three revised district coastal management plans and deletion of the five district coastal management plans and nine AMSA which OCRM was not able to fully address in the FEIS.

Of the existing 33 Alaska district coastal management plans, 28 were revised and submitted by the March 1, 2006 legislative deadline. Of the existing 33 AMSA, 24 are being incorporated into the relevant district's coastal management plan, or are being revised by the respective coastal districts. The State's submission of the proposed program change represents the adoption of three of the revised district coastal management plans (City of Skagway, City of Hoonah, and City of Pelican) including enforceable policies. The revised coastal district management plans

¹ AMSA are areas that "have unique values or fragile characteristics that make them, on balance, more in need of special attention;" with programs developed with procedures whose goal is to develop a plan that would "preserve, protect, enhance or restore each value for which the area was designated." (FEIS, December 2005)

include new resource inventory information, more complete analyses of each area's resources, and new and changed goals, objectives, and enforceable policies.

Five of the coastal districts did not revise or submit their district coastal management plans by the legislative deadline. These include the Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul. Two of these districts had also incorporated nine AMSA which have also not been revised by either the state or a coastal district as AMSA, including Mitchell Bay, Hood Bay, Chaik-Whitewater Bay (City of Angoon) and Meares Passage-Arena Cove, McFarland Islands-Dunbar Inlet, Jackson Island, Hydaburg River-Tidelands, Saltery Point-Crab Trap Cove, and Hetta Cove-Eek Inlet (City of Hydaburg). Since these areas no longer have applicable district policies, they must rely on coverage by state coastal management policies for state and federal agency review of activities in the district. ACMP policies may not be as specific to the resources, or represent the same depth of coverage as was available through local coastal district participation in the former ACMP. While OCRM determined through the original Programmatic FEIS that this will not result in significant impacts to the human environment in Alaska's coastal area, two uses require further analysis: the impact to subsistence uses, and the deletion of AMSA.

The revision of the three coastal district management plans and deletion of five coastal district management plans and nine AMSA was found to be a routine program change to the ACMP because it represents a further detailing of changes previously approved by OCRM to the ACMP. Neither the State nor OCRM received any substantive or negative comments on the proposed program changes.

The conclusion of this EA is that the approval of the program change as a routine program change to the ACMP is not a major federal action having a significant impact on the human environment. Therefore, a Finding of No Significant Impact (FONSI) is considered appropriate. No mitigation actions are required beyond those identified in the Programmatic FEIS regarding impacts to subsistence uses.

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INTRODUCTION

Recognizing the need for a coordinated effort in managing the nation's coastal resources, Congress passed the Federal CZMA in 1972, 16 U.S.C. §§1451—1465. The CZMA established a voluntary program for the management, beneficial use, protection, and development of the land and water resources of the nation's coastal areas. The federal program was designed to encourage the states to exercise more fully their authorities and responsibilities to coastal resources.

The CZMA provides guidelines for the development of state coastal management programs. The implementing federal regulations at 15 C.F.R. part 923, subparts B-G outline the requirements for state program development and approval. Subpart H of these regulations includes the guidelines for changing an approved state program. Changes to an approved program may be processed as either a routine program change or as an amendment (15 C.F.R. part 923, subpart H).

The Secretary of Commerce first approved the Alaska Coastal Management Program (ACMP) in July 1979. The program was originally based on the Alaska Coastal Management Act of 1977 which established an approach of shared local and State coastal management responsibilities. On September 30, 2004, the ACMP requested OCRM to incorporate Alaska Executive Order (EO) 106, Alaska House Bills (HB) 191, 69, and 86, and submitted a revised request also incorporating Alaska Senate Bill (SB) 102 on June 2, 2005. These new statutes and regulations implemented extensive changes to the ACMP, which are discussed and analyzed in detail in OCRM's Final Environmental Impact Statement (FEIS) on Amendments to the ACMP (November 18, 2005), incorporated in this document by reference.

The majority of effects of the program change were sufficiently analyzed in general in the above-referenced FEIS for most uses and resources, including coastal development, natural hazard areas, coastal access, energy facilities, utility routes/facilities, sand and gravel extraction, transportation routes and facilities, recreation facility and tourism areas, major energy facility sites, commercial fishing/seafood processing facility areas, habitat and important habitat areas, and historic/prehistoric areas. However, the FEIS also found that there may continue to be instances of negative effects to the physical and socio-economic environment based on changes to the subsistence standards and the implementation of the program from a State and locally-implemented program to a primarily State-implemented program. Subsistence is defined as the traditional and customary harvesting of foods and other items for non-commercial purposes by Alaska Native cultures and other non-Alaska Native users. In addition, the FEIS failed to fully analyze the possible impacts of the deletion of AMSA under the preferred alternative. Therefore, DNR's submission of this program change request triggered OCRM's responsibilities under NEPA to review the proposed changes for potential impacts of OCRM's approval of incorporating the three revised district coastal management plans as part of the ACMP, and approving the deletion of five district plans and their associated AMSA.

For the purpose of this Environmental Assessment (EA), the most relevant changes include HB 191's requirement that the Alaska Department of Natural Resources (DNR) adopt new regulations that establish "clear and enforceable" statewide standards for the ACMP as well as criteria for approval of new district coastal management plans (including AMSA). It also requires current district coastal management plans sunset as of July 1, 2006. Districts were additionally required to develop new plans based on the new standards and guidelines and submit them to DNR by July 1, 2005, for approval by the State by July 1, 2006. The Alaska SB 102 later extended the time frame for completing district program change approval to March 1, 2007, unless DNR reviews and approves or new district enforceable policies prior to that date.

DNR has begun the process of reviewing and approving revised district coastal management plans. The ACMP originally had 33 approved district coastal management plans and 33 AMSA. On May 16, 2006, OCRM received a program change request from DNR for approval of three revised district coastal plans to meet the new statutory requirements of the revised ACMP. The three revised district coastal management plans are for the Cities of Skagway, Hoonah, and Pelican. Skagway's revised plan includes four AMSA, similar to its original plan. In addition, DNR requested the deletion of five district coastal management plans and nine associated AMSA that did not meet the March 1, 2006 state legislative deadline for submission. The five deleted district coastal plans are the Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul. The nine deleted AMSA attached to two of the five district coastal management plans are Mitchell Bay, Hood Bay, Chaik-Whitewater Bay, Meares Passage-Arena Cove, McFarland Islands-Dunbar Inlet, Jackson Island, Hydaburg River-Tidelands, Saltery Point-Crab Trap Cove, and Hetta Cove-Eek Inlet.

A coastal district has four main responsibilities: (1) develop a coastal management program for its area for implementation through the ACMP; (2) participate in the state or federal consistency review process by using the enforceable policies in its approved plan for coastal development projects; (3) educate the members of its community about coastal management; and (4) implement its coastal management plan at the local level. Municipal coastal districts can voluntarily choose to participate in the ACMP. Also governed by local ordinances, these municipal coastal districts with planning powers may conduct local reviews for projects affecting their coastal zones. Coastal districts may also participate in other activities and planning efforts. Coastal districts may contribute information and resources to DNR Area Plans during consistency review and to DEC oil spill response planning; they may provide public education and outreach efforts on coastal resources and activities; and they may participate in special ACMP-funded projects.

1. PURPOSE

Under the CZMA, OCRM is responsible for approving any program changes made by a state to its original federally-approved coastal management program (CMP). Changes that must be submitted are those that (1) affect the CMP as approved by OCRM; (2) the state CMP wishes to spend CZMA funds on; and (3) the state CMP wishes to use for federal consistency review purposes. Alaska has submitted changes to the ACMP's organization, participation, structure,

implementation, policies, and administration of those policies for OCRM review and approval. The purpose of OCRM's approval of Alaska's program change request is to allow the State to incorporate the revised district plans and delete the nine AMSAs and district plans. With OCRM's approval, Alaska will continue its certification as a federally-approved CMP, receive CZMA funds to implement the revised State CMP, and conduct State and federal consistency reviews based on the revised district coastal plans.

3. NEED

OCRМ has approved revisions to the ACMP on a programmatic level (see FEIS, November 2005) that allow the State to amend its district coastal management plans and AMSA, including deletion or non-approval. However, based on the conclusions in the FEIS, OCRM has determined that additional NEPA analysis is warranted for these proposed program changes based on (1) Alaska's submission of the first revised district plans under the new amendment; (2) the FEIS's identification of potential for continued adverse effects that can not be avoided related to changes to the subsistence standard and the new state-focused program; and (3) the one-time deletion of the nine associated AMSA and potential impacts to areas important for subsistence use and resources.

4. ALTERNATIVES

The proposed Federal action is NOAA's approval of incorporation of the three revised district coastal management plans (Cities Skagway, Hoonah, and Pelican), and deletion of the five district coastal management plans (Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul) and their nine associated AMSA (Mitchell Bay, Hood Bay, Chaik-Whitewater Bay, Meares Passage-Arena Cove, McFarland Islands-Dunbar Inlet, Jackson Island, Hydaburg River-Tidelands, Saltery Point-Crab Trap Cove, and Hetta Cove-Eek Inlet) into the ACMP, pursuant to NOAA regulations on Amendments to Approved Management Programs (15 C.F.R. part 923, subpart H). In determining whether these district coastal management plans and AMSA revisions and deletions are an amendment to the ACMP or a routine program change, OCRM found that the proposed revisions constitute a routine program change to the ACMP, as approved in the original 1979 FEIS, and the revised 2005 program. A routine program change is defined as further detailing of a state's program that is the result of implementing provisions approved as part of a state's approved management program, that does not result in a substantial change in one or more of the five program areas: (1) uses subject to management; (2) special management areas; (3) boundaries; (4) authorities and organization; and (5) coordination, public involvement and national interest. When a routine program change is submitted, OCRM must review the action to ensure it does not constitute an amendment. In this case, part of OCRM's review involves conducting an environmental assessment of the impacts of the state's program change request to determine if it will result in any significant impacts to the human environment.

DNR's request for revision of three coastal district management plans and deletion of five coastal district management plans and their nine associated AMSA was processed as a routine

program change because of its relationship to the ACMP amendment recently approved by OCRM and because it is a further detailing of the ACMP's enforceable local coastal plans and special management areas. However, OCRM is conducting additional environmental analysis on the effects of (1) the first set of district coastal program submitted under the recently approved ACMP amendment; and (2) deleting long-standing district coastal plans and nine associated AMSA. Issues that specifically warrant more analysis include the effect of revising district coastal management plan subsistence policies and deleting district coastal management plans and AMSA on subsistence uses and activities due to the ethnic and subsistence-oriented population affected by these changes.

There are three alternatives available to OCRM. First, OCRM can approve the ACMP district coastal management plan revisions and deletions and related AMSA deletions program change request received on May 16, 2006. Second, OCRM can find this amendment does not meet the requirements of the CZMA, and return the request to the State for further changes. Third, is the "no action" alternative. The three alternatives are discussed below based on the merits of the specific district coastal plans and AMSA revisions and deletions and potential impacts not fully addressed in the November 18, 2005 FEIS. The requirements of the CZMA and NEPA were the primary influences during consideration of the alternatives.

4.1 Alternative 1: Approve the ACMP District Coastal Management Plans and AMSA Revisions and Deletions as a Routine Program Change [Preferred Alternative]

Under this alternative, OCRM would approve implementation of the proposed district coastal management plan revisions for the Cities of Skagway, Hoonah, and Pelican, which meet the revised coastal district management plan process that was approved by NOAA. In addition, OCRM would approve the deletion of district coastal management plans that no longer participate in the ACMP (the Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul), and their nine associated AMSA. The result would be that these areas would not be covered by local coastal district policies nor would they be able to participate in the state and federal consistency review process for state and federal activities affecting their local uses and resources. AMSA would also cease to be covered as special management areas under the ACMP. However, these districts and AMSA would continue to be included in the ACMP and covered by state coastal policies and standards because they are within the state coastal management boundary. In addition, should the State choose to, it could designate any of these locally non-participating areas for any or all of the uses, activities and area resources listed in state law and regulations (subsistence being the one analyzed under this EA) and write area-specific policies for these uses and resources.

4.2 Alternative 2: Deny Incorporation of the ACMP District Coastal Management Plans and AMSA Revisions and Deletions as a Routine Program Change

Under this alternative, OCRM would deny DNR's request to incorporate the three revised and five deleted coastal district management plans and nine associated AMSA into the ACMP.

According to state law (SB 102), revised district coastal plans not implemented (including DNR approval, OCRM approval, and filing by the State of Alaska Lt. Governor's Office 30 days in advance of implementation) by March 1, 2007 will sunset. If OCRM selects Alternative 2, the State can not implement the revised district coastal management plans for the Cities of Skagway, Hoonah, and Pelican. Therefore, as of March 1, 2007, these three districts will no longer have the authority to operate their existing ACPC-approved district coastal management plans. The ACMP would only be implemented through state coastal policies by state agencies for these districts.

The greatest impact under this alternative would be the three districts' (cities of Skagway, Hoonah, and Pelican) inability to use their revised plans as part of implementation of the ACMP. While all coastal districts are covered by the new statewide ACMP policies, district coastal management plans require local governments to designate subsistence areas within their districts in order to develop policies to address local subsistence uses and resources. In addition, under Alternative 2, the three districts would no longer be able to participate in consistency review for projects located outside their coastal resource district boundary, even if they could demonstrate that the project may have a direct and significant impact on a subsistence coastal use or resource within the coastal zone and within the coastal resource district boundaries. The City of Skagway would also lose the designation of its four AMSA (Yakutania Point, Pullen Creek, Port of Skagway, and Skagway River). Depending on their reliance and tradition of subsistence uses and resources, Alternative 2 would have varying impacts for the three revised district coastal management plans.

For the five district coastal management plans and nine associated AMSA being deleted, there would be no impact if OCRM denied approval of this program change, since the only impact from OCRM denial relates to the district coastal management programs losing their authority to operate for consistency review and funding purposes. These five districts and associated AMSA have already been deleted by the ACMP.

4.3 Alternative 3: No Action

Under the "no action" alternative, OCRM would fail to either approve or disapprove Alaska's request to incorporate the three revised district coastal management plans and delete the five district coastal management plans and related AMSA. Under the CZMA, if OCRM did not act on a state's proposed amendment to a coastal management plan, the plan would eventually be conclusively presumed as approved. 16 U.S.C. §1455(e)(2). Therefore, the "no action" alternative would have the same effects as Alternative 1, approval of the State's request for amendment.

5. AFFECTED ENVIRONMENT

The proposed ACMP amendment will affect the Alaskan cities of Skagway, Hoonah, Pelican, Angoon, Hydaburg, Kake, Klawock, and St. Paul, and nine associated AMSA (Angoon-

sponsored: Mitchell Bay, Hood Bay, Chaik-Whitewater Bay; and Hydaburg-sponsored: Meares Passage-Arena Cove, McFarland Islands-Dunbar Inlet, Jackson Island, Hydaburg River-Tidelands, Saltery Point-Crab Trap Cove, and Hetta Cove-Eek Inlet). Alaska's coastal areas, uses, resources, and human environment that would be affected by OCRM's approval of changes to the district coastal management plan and AMSA designation process were broadly described in OCRM's FEIS published in November 2005. The following descriptions of affected environment will focus on those cities and AMSA affected by the proposed program change. The descriptions generally include coastal uses, resources, and the human environment that would be affected by the changes to subsistence resource and use policies and area designations in the affected cities and associated AMSA. The majority of information for Skagway, Hoonah and Pelican is derived from their recently-submitted revised coastal district management plans which are available on DNR's website at <http://www.alaskacoast.state.ak.us/District/html/ProgressFinal.htm>. Other sources include the Alaskan Community Database website (http://www.commerce.state.ak.us/dca/commdb/CF_COMDB.htm) and the original and revised plans for Angoon, Hydaburg, Kake, Klawock, and St. Paul. The December 2005 AK CMP FEIS contains a discussion of subsistence in Alaska (pp. 145-150); the impacts of the overall program changes to the ACMP subsistence standards pp. 163-166); and environmental justice issues, including subsistence activities in the Alaska coastal management area (pp. 180-186), and can be found at http://coastalmanagement.noaa.gov/assessments/alaska_statement_sup.html.

5.1 Skagway

5.1.1 Land Status

The City of Skagway covers an estimated 455 square miles of land. Lands within the City of Skagway are managed in accordance with the *City of Skagway Comprehensive Plan* (1999), the Skagway Coastal Management Program, and Skagway's municipal land use and zoning code (Chapters 16-20). Within the City boundary, land is owned by private individuals and companies, the City of Skagway, the State of Alaska, and the federal government. About 68 percent of the land within the City of Skagway is federally managed by the USFS through the Tongass National Forest. It is managed for semi-remote recreation, remote recreation, or natural area research. About 27 percent of the land in the City of Skagway is State-owned and managed. The Alaska DNR manages this land in accordance with the *Northern Southeast Area Plan* (<http://www.dnr.state.ak.us/mlw/planning/areaplans/nseap>, DNR, October 2002). The large tracts of state owned and selected land in the City of Skagway are assigned "General Use" a multiple use designation, to allow for flexibility in resource management and protection, and because there are no immediately apparent economic trends that would require their use during the planning period covered by the *Northern Southeast Area Plan*. State tidelands will be managed to protect sensitive habitats and areas important to fisheries, marine mammal concentration sites, wildlife movement corridors, subsistence, and to protect community and commercial harvest. The City owns about three percent of the land base within the City of Skagway and private individuals own approximately two percent, which includes a few large Native allotments.

5.1.2 Community Demographics

Skagway's population in 2005 was estimated at 834 people. Skagway experienced an approximately 2.0 percent annual growth rate in the 1990's and early-2000's, attributed to growth in the City's tourism industry. During the 2000 U.S. Census, Skagway's population was reported at 862 people, with 92 percent Caucasian, 5.1 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000)

The 2000 Census counted total housing units at 502, with approximately 100 used seasonally rather than year-round. The 2000 Census unemployment rate was 14.1 percent. Over 600,000 cruise ship passengers and numerous State ferry travelers visit Skagway each year. The Klondike Gold Rush Historical Park and White Pass and Yukon Railroad are major attractions. An Economic Impact Study conducted by the City of Skagway in 1999 found that 51 percent of the owners of visitor-related businesses are not year-round residents. Trans-shipment of lead/zinc ore, fuel and freight occurs via the Port and Klondike Highway to and from Canada. Four residents hold commercial fishing permits.

5.1.3 Subsistence Resource Use

Residents of the community of Skagway gather and use fish, wildlife and plants as subsistence resources. Subsistence resources regularly used include: salmon, non-salmon finfish (especially eulachon), halibut, shrimp, mussels, Dungeness crab, waterfowl and upland game birds, goat, moose (less common), berries, seaweed/kelp, mushrooms, spruce tips, and medicinal plants. Skagway residents also harvest deer, but not in the Skagway vicinity. The last comprehensive survey of fish and wildlife harvest was completed in 1988, with a follow-up study in 1994 for the *Tongass Resource Use Cooperative Study* (TRUCS), which indicated that overall fish and wildlife harvests in the Skagway community averaged 48 pounds per capita. Annual harvests per household averaged 137 pounds, with 68 percent of households participating directly in harvest activities and 96 percent using subsistence resources. The study found the high use figure among households, as compared to harvest participation, suggested a high level of sharing within the community.

The primary area of subsistence harvest focus in the community is on marine fish (especially salmon and halibut taken by rod and reel), marine invertebrate species (especially king and Dungeness crab), and plants (wood and various species of berries), with somewhat lower levels of freshwater fishing and goat and bird hunting.

5.1.4 Subsistence Area Designations

In accordance with the new provisions of the ACMP (11 AAC 114.250(g)), the City of Skagway designated areas where subsistence is an important use of coastal resources. Specifically, the City of Skagway designated geographic areas important for subsistence harvest of marine

mammals, invertebrates, goats, salmon, and non-salmon finfish. As stated in the ACMP regulations, only non-federal lands within the Skagway coastal zone boundary can be designated for subsistence. Approximately 68 percent of the land within the City of Skagway is federally managed, most of which is within the Tongass National Forest managed by the United States Forest Service (USFS). Areas used by Skagway residents for subsistence or personal use of fish and wildlife include marine waters.

Skagway's designated subsistence harvest areas are largely oriented on Taiya Inlet, focusing on the upper inlet and Dyea and Skagway areas. Inland and high upland areas are used for goat harvests. The Dyea area is used for harvesting eulachon and important medicinal plants. In 1987, 5.5 percent of households were estimated to have harvested eulachon from the Dyea area, roughly comparable to the proportion of Natives in Skagway.

5.1.5 Associated AMSA: Yakutania Point, Pullen Creek Shoreline Park, Port of Skagway, Skagway River

The City of Skagway's district coastal management plan includes four AMSA that were all part of the City's original district plan: Yakutania Point Park, Pullen Creek Shoreline Park, Port of Skagway, and Skagway River. The first three AMSA are all located within or bordering the City of Skagway, and are focused primarily on recreational and commercial/industrial activities. The Yakutania Point AMSA is on the border of the original townsite, along the west side of the Skagway River. The area included within the AMSA boundary is the land purchased by the City of Skagway in 1925 for purposes of a public park, and it has been managed as a park for the past 60 years and as an AMSA under the Skagway Coastal Management Plan since 1982. The Pullen Creek Shoreline Park AMSA is located in the northeast corner of the Skagway waterfront and includes all lands and waters that need to be managed in a coordinated manner to meet the objectives of maintaining and enhancing the park's appearance and recreational values and providing for the fisheries enhancement activities occurring in and planned for the AMSA in the future. The Port of Skagway is located at the mouth of the Skagway River, south of the historic/commercial district. The AMSA boundary includes the areas that are zoned for and managed for port purposes by the City of Skagway. The fourth AMSA, Skagway River, includes the river and its banks, from Yakutania Point upstream to Liarsville, a distance of 3.8 miles. The boundary for the AMSA was selected to include the portion of the River most subject to potential use and development. None of the land in any of the four AMSA is federally owned.

The Yakutania Point AMSA was designated because of its historical significance, scenic importance and recreational values. Yakutania Point is listed on the Alaska Heritage Resources Survey. The Pullen Creek Shoreline Park AMSA serves multiple purposes, as a recreation area, anadromous fish habitat, fishery enhancement site with potential for additional infrastructure development, "buffer" between the historic downtown and the City's port and harbor, and the "gateway" that welcomes visitors entering Skagway from the waterfront. The Port of Skagway AMSA was designated to implement the City's goals for management of its deep water port and commercial/industrial working waterfront. The AMSA plan limits development in the Port area

to uses that are directly dependent upon or that directly relate to the water and or a waterfront location. The Skagway River AMSA was designated to address river and floodplain management. Development of the City of Skagway, which has grown up along the riverbank, has required the channelization of the river to prevent channel shifting, property erosion and flooding. The City plans to construct additional flood control structures upstream to further manage flood hazards and prevent destruction. In addition, Skagway derives its drinking water supply from a groundwater aquifer formed by the Skagway River, and sand and gravel resources from the Skagway River floodplain meet the City's material needs.

5.2 Hoonah

5.2.1 Land Status

The City of Hoonah occupies about 6.6 square miles of land and 2.1 square miles of water. The largest landowner is the Huna Totem Corporation, although Sealaska Corporation owns the subsurface development rights on this land. The next largest owner is the City. City property includes several parcels within town as well as about 1,230 acres that were quitclaim deeded to the City by Huna Totem Corporation. The State of Alaska owns land around the airport and the mouth of the Garteen Creek estuary and wetlands. A variety of private landowners, including the Hoonah Indian Association, own parcels within the City.

Within the corporate and coastal district boundaries, the City owns most tidelands within the original corporate boundaries of Hoonah. Some tideland parcels on the north end of the harbor fill, and south of Garteen Highway, were quitclaimed to individuals. Tidelands outside of the old Hoonah corporate boundary but within the new Hoonah corporate boundary are owned by the City except for the tidelands by the Hoonah Cannery at Inner Point Sophia.

Lands within the Hoonah coastal district are managed in accordance with a variety of formal plans and informal concepts. These include the City of Hoonah Comprehensive Plan; the Coastal Management Plan; the City of Hoonah Municipal Code chapters on subdivisions, watershed management, flood prevention; and the Land Use and Zoning regulations; rules for land management on Native Allotments and Town sites; the corporate plans of Huna Totem and Sealaska Corporation and the needs of the U.S. Forest Service.

5.2.2 Community Demographics

Hoonah's population in 2005 was estimated at 861 people. Hoonah experienced an approximately two percent growth rate between 1990 and 2000, although the latest figures indicate a slight decline. During the 2000 U.S. Census, Hoonah's population was reported at 860 people, with 28.7 percent Caucasian, 60.6 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000)

The 2000 Census counted total housing units at 348, with approximately ten used seasonally rather than year-round. The 2000 Census found an unemployment rate of 20.55 percent, although 51.68 percent of all adults were not in the work force. The median household income was \$39,028, per capita income was \$16,097 and 16.57 percent of residents were living below the poverty level. Fishing and local government are mainstays of Hoonah's economy. 117 residents hold commercial fishing permits. Some employment occurs at the Hoonah Cold Storage plant. Whitestone Logging Inc. and Southeast Stevedoring (a sort yard and timber transfer facility) are major private employers. The City and school district are the main public sector employers. In summer 2004, Hoonah hosted cruise ship visitors from the Celebrity Summit twice each week at Icy Strait Point.

5.2.3 Subsistence Resource Use

Subsistence resource use has been integral to the Hoonah community for thousands of years, and continues to be a significant part of life for the people of Hoonah today. The average Hoonah family relies on food gathering for its year-to-year survival, and traditional and customary use is a chief means for Hoonah residents to supplement their income. Harvesting is focused on the marine environment with the harvest of shellfish, fish, waterfowl, seal, and otter. Harvest of land mammals consists primarily of deer, but also includes mink, otter, ptarmigan, and martin. Other resources, with the exception of furbearer trapping, are harvested or accessed primarily by saltwater, which allows for harvesting multiple resources in conjunction with each other as well as opportunistic harvest, including berry picking or other types of land and sea vegetation. The TRUCS from 1988/1994 indicated that the resources most commonly harvested by over 50 percent of households are coho and chinook salmon, halibut, deer, berries and wood. The resources most commonly used by over 50 percent of households are: coho, chinook, and pink salmon, cod, halibut, herring roe on kelp, rockfish, Dolly Varden, deer, seal, Dungeness crab, clams and cockles, berries and wood.

A follow-up survey by the Division of Subsistence, Alaska Department of Fish and Game (ADFG), in 1996-97 found that almost every Hoonah household (97 percent) used at least one species of subsistence resources, while 95 percent of all households surveyed participated in the harvesting of wild resources. Overall, the average Hoonah household used 1,179 pounds of wild resources in the survey year; amounting to about 370 pounds per person. Sharing of traditional foods within the community is common, with almost 78 percent of surveyed households giving at least one resource to other households, and about 90 percent receiving at least one resource from their neighbors.

5.2.4 Subsistence Area Designations

In accordance with the new provisions of the ACMP (11 AAC 114.250(g)), the City of Hoonah has designated subsistence use areas where subsistence is an important use of Dolly Varden and salmon. Specifically, the City of Hoonah has designated subsistence areas within 100 feet of either side of the high water line of three creeks: Coho Creek, Shotter Creek, and Garteeni

Creek. However, Hoonah has also identified several geographic areas as important for subsistence harvest of deer, furbearers, plants, berries, goat, waterfowl, halibut, marine fish, marine invertebrates, salmon, and seals. As stated in the ACMP regulations, only non-federal lands within the Hoonah coastal zone boundary can be designated for subsistence. There are no federal lands immediately within the City of Hoonah's corporate and coastal district boundaries, however, federal lands, such as the Glacier Bay National Park, are important to Hoonah residents for subsistence use.

Some of the most important subsistence areas identified in the revised Hoonah district coastal plan include: Excursion Inlet (land and sea mammals, eulachon, salmon fishing, bottomfish, cockles, sockeye); Pleasant Island (salmon, bottomfish, birds, sea mammals, Dungeness and king crabs, chitons); Lemesurier Island (seaweed, eggs, king crabs, bottomfish, land mammals including deer); Inian, George and Three Hill Islands (salmon, sea mammals, abalone and chiton); Yakobi Island (salmon, sea and land mammals, birds); Porpoise Island (salmon, sea mammals, chiton); Couverden Island (chiton, seaweed, bottomfish, salmon); Sisters Island (seaweed, chiton, bottomfish, salmon) Mud Bay (deer, birds, berries); Point Adolphus to Crist Point (salmon, bottomfish, king and Dungeness crab); Eagle point (chiton, clams, birds, trout, salmon); Spasski Bay and Spasski Island (chiton, shrimp and sea urchins, seaweed, king and Dungeness crab, clams, cockles, birds, salmon, trout, bottomfish), Whitestone Harbor (salmon, chiton, seaweed, birds, deer, Dungeness crab, trout), Freshwater Bay-Iyoukeen Cove (salmon, bottomfish, king and Dungeness crab, herring eggs, trout; and Port Frederick. All of these areas are located outside of the coastal district boundaries except Port Frederick. Port Frederick is used almost in its entirety for subsistence purposes, and all types of land and marine resources are harvested there. It is the single most important area for Alaska Native culture and other traditional resource use.

5.3 Pelican

5.3.1 Land Status

The City of Pelican occupies 328.6 acres of land and 0.1 square miles of water. The largest land owners in the area are the City of Pelican, the State, and the U.S. Forest Service. The City of Pelican owns undeveloped lands in the Pelican Heights Subdivision. Otherwise, the largest private landowner is Pelican Seafoods, Inc. with major land holdings in the northern part of the townsite. While part of the company's property is currently used for storing fishing gear, it could potentially be used for expanding cold storage facilities. However, Pelican Seafoods has no immediate plans for expansion. The City of Pelican has expressed an interest in increasing its population to support local government infrastructure, and has identified residential development, encouraging and extending commercial use along its boardwalk, allowing more industrial use on the west side of the Breakwater, and improving recreational opportunities.

Over the years, the State has sold approximately 150 acres of land into private ownership under the State Land Lottery Program, primarily north and south of the City of Pelican. The State does

not anticipate future lottery programs in the Pelican area. State lands adjacent to Pelican have been primarily designated as recreation, to remain undeveloped. The State of Alaska's Northern Southeast Area Plan also provides land management direction and authority on land adjacent to the City of Pelican. These lands are generally classified as Rural Use Development and Settlement.

The Tongass National Forest surrounding the Pelican coastal district is managed by the U.S. Forest Service. The east side of Lisianski Inlet is legislatively designated to be managed for maintaining the wildland character of this unroaded area. Fish and wildlife improvements and primitive recreation facilities are allowed. On the west side of Lisianski Inlet is the West Chichagof-Yakobi Island Wilderness Area, which is to be unmodified, to provide for solitude and primitive recreation with limited motorized access. Residents of Pelican use both state and federal lands for subsistence purposes.

5.3.2 Community Demographics

The City of Pelican's population in 2005 was estimated at 115 people. Pelican's year-round population figure has varied widely since its founding in 1938, tied in large part to the variation in the local fishing and seafood processing industry. In 1990, Pelican's population topped out at 222, which is attributed to the expansion of Pelican Seafood Inc. and state land disposals which made land available to residents and the city. The population has declined steadily since 1995. A shut down and change in ownership of the Pelican Seafood plant caused several months of uncertainty about the plant and the town's future. In the 2000 U.S. Census, Pelican's population was 74 percent Caucasian and 26 percent Alaskan Native. Pelican's ethnic character has remained relatively unchanged over the past twenty years. In 1988 Pelican's population was 71 percent Caucasian and 27 percent Alaskan Native (ADFG, TRUCS Study).

The 2000 Census counted total housing units at 94, with approximately nine used seasonally rather than year-round. The 2000 Census found an unemployment rate of 7.95 percent, although 34.65 percent of all adults were not in the work force. The median household income was \$48,750 per capita income was \$29,347, and 4.73 percent of residents were living below the poverty level. Commercial fishing and seafood processing are the mainstays of Pelican's economy. Forty-one residents hold commercial fishing permits. Most employment occurs at Pelican Seafoods, which also owns the electric utility, a fuel company and store. The plant processes black cod, halibut, ling cod, rockfish, and salmon. The City and school also provide some employment.

5.3.3 Subsistence Resource Use

Because of its remote, isolated location and lack of a diversified economy, subsistence use of resources is relatively important to the residents of Pelican. Subsistence resources regularly taken include: deer, bear, waterfowl, furbearers (mink, land otter and marten), fish (salmon, halibut, red snapper, rock cod, black codfish), crab, shrimp, butter clams, berries, beach greens,

and wood for supplemental home heating. Less frequently used are mussels, abalone, and herring roe, which are either limited by quality, predation, or seasonal availability. However commercial fishing and seafood processing are the mainstay of Pelican's economy, with 41 residents holding commercial fishing permits.

5.3.4 Subsistence Area Designations

The City of Pelican has not designated any subsistence use areas under the new provisions of the ACMP (11 AAC 114.250(g)). The revised district coastal plan mentions various locations where some subsistence resources are primarily located, including Phonograph Creek, Steelhead River, Head of Inlet, Stag Bay, Lisianski Inlet and Lisianski Strait, First Island, and Second Island. However, since Pelican has not designated any areas specifically for subsistence use, the City is unable to write an enforceable policy relating to subsistence resource areas in the City of Pelican.

5.4 Angoon

5.4.1 Land Status

The City of Angoon covers an estimated 22.5 square miles of land and 16.1 sq. miles of water. Angoon is a second class city², and is able to conduct planning, platting, zoning and land use regulation pursuant to Title 29. Participation within the ACMP is voluntary. Precise information on land ownership status within the City of Angoon is not available. A majority of land in on Admiralty Island, where Angoon is located, is federally owned, with remaining ownership divided up between the City, Native corporations (Sitka and Kootznoowoo), and the Greens Creek Mining Company.

5.4.2 Community Demographics

The City of Angoon's population in 2005 was estimated at 497 people. During the 2000 U.S. Census, Angoon's population was reported at 481 people, with 11.4 percent Caucasian, 82 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000) The 2000 Census counted total housing units at 221, with approximately 25 used seasonally rather than year-round. The 2000 Census found an unemployment rate of 12.95 percent, although 50 percent of all adults were not in the work force. The median household income was \$29,861, per capita income was \$11,357 and 27.9 percent of residents were living below the poverty level. Commercial fishing is a major source of income; 56 residents hold

² A city generally exercises its powers within an established boundary that normally encompasses a single community. State law and local ordinances define the powers, duties, and functions of general law cities. There are two classes of general law cities -- first and second class. Typically, both classes provide a broad range of municipal services including, but not limited to, police protection, parks, sewer and water utilities. The significant difference between the two classes of city includes taxing authority, responsibility for schools, and the powers and duties of the mayor. A main difference between a first class city and a second class city is the power to provide education. A first class city must exercise education powers while a second class city may not. (<http://www.dced.state.ak.us/dca/LOGON/muni/muni-structure.htm>)

commercial fishing permits, primarily hand-trolling for king and coho salmon. Low salmon prices have affected incomes. A shellfish farm was recently funded by state and federal grants. The Chatham School District is the primary employer, although logging on Prince of Wales Island provides occasional jobs.

5.4.3 Subsistence Resource Use

Subsistence remains an important part of the lifestyle for the community and Alaska Native culture of Angoon. Residents of Angoon gather and use deer, salmon, bear, halibut, shellfish, geese, seaweed, and berries for personal, or subsistence use. A survey of Alaskan communities found that between 1982-1999, the residents of Angoon annually consumed 224 pounds of subsistence wild food harvest per person (ADFG, <http://www.state.ak.us/local/akpages/FISH.GAME/subsist/subhome.html>).

5.4.4 Associated AMSA: Mitchell, Hood, Chaik-Whitewater Bays

5.4.4.1 Mitchell Bay

Mitchell Bay is located partly inside the City of Angoon's municipal boundary. Its geographic description includes "all waters and lands within 660 horizontal feet of the mean high tide line in Kootznahoo Inlet, Mitchell Bay, Salt Lake, Kanalku Lake, and Favorite Bay." This AMSA was designated primarily for its productive and essential habitat, historical and archaeological significance, subsistence value, the potential for an estuarine or marine sanctuary, and its recreational and scenic value. The bay contains anadromous fish streams, a harbor seal haul out area, productive bald eagle habitat, waterfowl, shorebirds, brown bear spring concentration areas, and numerous other species. Mitchell Bay includes portions of the Cross Admiralty Canoe Route. Mitchell Bay has nesting and brood-rearing concentration for the trumpeter swan. Thirty-seven prehistoric and historic sites have been identified in Mitchell Bay.

5.4.4.2 Hood Bay

Hood Bay is located near the City of Angoon, and was designated primarily for its productive and essential habitat, historical and archaeological significance, subsistence value, the potential for an estuarine or marine sanctuary, and its recreational and scenic value. Its geographic description includes "all waters of Hood Bay and lands within 660 horizontal feet of the mean high tide line of Hood Bay east of the line running across the mouth of Hood Bay from Distant Point through Sand Island to Killisnoo NW Base triangulation stations." The bay contains anadromous fish streams, a harbor seal haul out area, productive bald eagle habitat, waterfowl, shorebirds, brown bear spring concentration areas, and numerous other species. Hood Bay has eleven known archaeological sites.

5.4.4.3 Chaik-Whitewater Bay

The Chaik-Whitewater Bay AMSA is located near the City of Angoon, although entirely outside of its boundary. Its geographic description states that it includes “all waters and land within 660 feet of the shore of Chaik Bay east of the line between survey points...and all waters and land within 660 feet of the shore of Whitewater Bay east of the line between...and Point Caution.” The Chaik-Whitewater Bay AMSA was designated primarily for its productive and essential habitat, historical, and archaeological significance, subsistence value, the potential for an estuarine or marine sanctuary, and its recreational and scenic value. The bay contains anadromous fish streams, a harbor seal haul out area, productive bald eagle habitat, waterfowl, shorebirds, brown bear spring concentration areas, and numerous other species. Whitewater Bay was the site of the village of Neltushkin, ancestral home of many Angoon Tlingits. Eighteen archeological sites have been identified in Chaik-Whitewater Bays.

5.4.5 AMSA Subsistence Resource Use

For the Mitchell, Hood, and Chaik-Whitewater Bay AMSAs, traditional heavy use of the bays is the single most important criterion for their nomination as AMSA. Adjacent lands on eastern Baranof and Chichagof Islands and along Peril Straits are likely to experience continued intensive timber harvest. The long-term effects of logging will include dislocation of recreation and subsistence activities from these areas and refocused competition on the lands and waters near Angoon. The AMSA’s management schemes were designed to ensure that traditional and customary use will be recognized as the highest priority.

5.5 Hydaburg

5.5.1 Land Status

The City of Hydaburg encompasses 0.3 sq. miles of land. Hydaburg is a first class form of municipal government under Alaska statute, incorporated pursuant to Title 29, A.S., and is able to conduct planning, platting, zoning and land use regulation. Participation within the ACMP is voluntary.

5.5.2 Community Demographics

The City of Hydaburg’s population in 2005 was estimated at 369 people. During the 2000 U.S. Census, Hydaburg’s population was reported at 382 people, with 9.4 percent Caucasian, 85.1 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000) The 2000 Census counted total housing units at 154, with approximately four used seasonally rather than year-round. The 2000 Census found an unemployment rate of 31.3 percent, although 66.29 percent of all adults were not in the work force. The median household income was \$31,625, per capita income was \$11,401 and 24.12 percent of residents were living below the poverty level.

Hydaburg has a fishing and timber-based economy. Thirty-nine residents hold commercial fishing permits. The Haida Corp. owns a substantial timber holding, although it suspended logging in 1985 due to a decline in the timber market. The Corporation's log storage facility and sort yard are leased to Sealaska Corporation, where residents are employed with Southeast Stevedoring part-time in shipping and loading timber. The City, school, Haida Corporation and SEARHC are other leading employers. The community is interested in developing a fish processing facility, a U.S. Forest Service Visitor Center, specialty woodworking, and a mini-mall/retail center.

5.5.3 Subsistence Resource Use

A federally-recognized tribe is located in the community—the Hydaburg Cooperative Association. The population of the community consists of 89.5% Alaska Native or part Native.

Hydaburg is the largest Haida village in Alaska. Residents maintain a subsistence and commercial fishing lifestyle. A totem park, developed in the 1930s, is located in the village. Residents of Hydaburg gather and use deer, salmon, halibut, shrimp and crab for personal, or subsistence use. A survey of Alaskan communities found that between 1982-1999, the residents of Hydaburg annually consumed 336 pounds of subsistence wild food harvest per person (ADFG, <http://www.state.ak.us/local/akpages/FISH.GAME/subsist/subhome.html>).

5.5.4 Associated AMSA: Meares Passage-Arena Cove, McFarland Islands-Dunbar Inlet, Jackson Island, Hydaburg River-Tidelands, Saltery Point-Crab Trap Cove, and Hetta Cove-Eek Inlet

5.5.4.1 Meares Passage-Arena Cove

Meares Passage is an open entrance from the Pacific Ocean (to the west) to Tlevak Narrows at the north end of Dall Island. The north is bounded by Suemez Island and Prince of Wales Island. Land ownership of this AMSA “lies entirely with the State of Alaska, since the AMSA encompasses only waters of the state. All marine waters and upland surface streams are included as waters of the state.” ADFG manages the fisheries resources, and DNR has responsibility for leases and uses of the tideland areas. The land area is undeveloped wilderness with steep slopes and abundant wildlife. Marine and aquatic life that provides essential resources to both the traditional, customary users and commercial users include coho, Dally Varden, and cutthroat trout, abalone, herring, bottomfish, Dungeness crab, sea urchin, clams, and cockles. Dominant land wildlife species of the area include deer, black bear, mink, land otter, ptarmigan, and bald eagles. Dominant vegetation species include Sitka spruce, western hemlock, red cedar, yellow cedar, seaweed, and bull kelp. The tidelands and rocky exposed coastline feature some scenic and recreational areas. Arena Cove is probably the most outstanding scenic area with its southwesterly exposure, coves with fine sand beaches, and a rocky, high energy coastline.

This area was designated an AMSA because of its importance for Alaska Native culture and other traditional subsistence harvest of seaweed, abalone, deer, mink, and land otter. Additional significant features for its designation include its unique scenic and recreational qualities, its use as a traditional recreation area, and the presence of eight archaeological/historic sites. It is one of the top four areas used for recreational purposes by the residents of Hydaburg.

5.5.4.2 McFarland Islands-Dunbar Inlet

McFarland Islands is a group of 15 small islands located in Tlevak Straits between Dall Island on the east and Dunbar Inlet on the west. Dunbar Inlet is bounded on the west by McFarland Islands and on the east by Sukkwan Island. Land ownership of this AMSA “lies entirely with the State of Alaska, since the AMSA encompasses only waters of the state. All marine waters and upland surface waterbodies are included as waters of the state.” ADFG manages the fisheries resources, and DNR has responsibility for leases and uses of the tideland areas. While the land condition of McFarland Islands is poor, with shallow soil and stunted vegetation, the islands serve as important habitat for herring roe. Dominant vegetation types include western hemlock, Sitka spruce, bull pine, yellow cedar, and red cedar. The coastline is steep rock bluffs, which drop off to depths of 20 fathoms and more in some areas. There are some sand and cobblestone beaches, most of which are on the inside waterways. The kelp from which herring roe is harvested grows heavily around the submerged rock reefs and around the inside passes and beach areas. Deer on the island appear stunted due to poor range habitat. Mink and land otter occupy the island, feeding in the tidal areas. The southerly exposed beaches collect drift logs, which are brought in by the southerly storms and by large tides in the spring and fall when winds from the south are predominant.

The body of water called Dunbar Inlet extends approximately $\frac{3}{4}$ miles into Sukkwan Island. The outside of the inlet is dotted with many small islands and rocky reefs. In the shallows of the rocky reefs and small islands grow the kelp that the herrings spawn on. The reefs and islands also provide protection to the inlet from the predominant southerly storm winds and wave action. The geographical location provides the inlet with a protective estuarine and marine sanctuary for aquatic life. There are four catalogued streams in the inlet where anadromous fish spawn, including pink, chum, coho, and Dolly Varden. One stream is a pink salmon pre-emergent site that is indexed annually to provide the basis for run forecasting.

This AMSA was designated because of the importance for traditional and customary subsistence harvest of herring roe, mink, land otter, and drift logs. The area is an important traditional recreation use area and included two archaeological/historic sites in Dunbar Inlet. The plan addressed use conflicts with commercial herring roe on kelp harvest, logging, log transfer sites, and drift log salvage.

5.5.4.3 Jackson Island

Jackson Island is located just off the southern tip of Sukkwan Island. The narrow passage between Sukkwan Island and Jackson Island is Jackson Passage. To the south is Cordova Bay, which opens to Dixon Entrance. To the west is Tlevak Strait, which joins Cordova Bay. On the eastern side are Lacey Island, Triplet Rocks, and the junction of Hetta and Nutkwa Inlets with Cordova Bay. The land ownership of this AMSA “lies entirely with the State of Alaska, since the AMSA encompasses only waters and tidelands of the state. All marine waters and upland surface water bodies are included as waters of the state.” ADFG manages the fisheries resources, and DNR has responsibility for leases and uses of the tideland areas. The island has a peak elevation of 540 feet and covers approximately 40 acres. Dominant vegetation species of the uplands are Sitka spruce, western hemlock, red cedar, and yellow cedar. The predominantly southerly wind direction in the spring, fall, and winter months leaves the southerly beaches covered with drift logs, including species of fir which are nonexistent in Alaska. The summer wind direction is from the west. There are deer and mink on the island. Marine wildlife is abundant, including land otter; king, pink, coho, and chum salmon; abalone; and rock scallops. There are no spawning streams on the island, however, the surrounding waters have the feed and geographic accessibility that attracts salmon. Recreational areas on the island provide for camping for traditional and customary subsistence harvesters and hand trawlers.

The importance of the area for traditional subsistence harvest of king salmon, abalone, drift logs, and trapping is the primary basis for designation of Jackson Island as an AMSA. Other important values include recreation use and a noted archaeological site. Conflicts with commercial abalone harvest, logging, and drift log salvage were addressed in the plan.

5.5.4.4 Hydaburg River and Tideflats

The Hydaburg River is approximately four miles long, and is located on the western side of Prince of Wales Island. It empties into the Sukkwan Straits through the middle of the City of Hydaburg. The tidelands at the mouth of the Hydaburg River have developed over the years from the convergence of the Hydaburg River and Sukkwan Strait to form a sand bar that is exposed half the distance across Sukkwan Straits at extreme low tides. Land ownership of this AMSA is divided among several entities, including the City, private parties, Haida Corporation, and Sealaska Corporation. Hydaburg River is a catalogued anadromous fish stream that has spawning and rearing habitat characteristics for the following species: pink, chum, and coho salmon; Dolly Varden; and rainbow and steelhead trout. The sand bar has various species of clams and cockles. Terrestrial wildlife found in the area includes black bear, mink, and marten. Dominant vegetation along the river bank is alder, Sitka spruce, red cedar, yellow cedar, and various species of understory brush. The river transects a lush forest watershed of old growth timber.

This AMSA was designated because of its importance for Alaska Native culture and other traditional subsistence use of pink, chum, and coho salmon, Dolly Varden, rainbow and steelhead trout, clams, cockles, mink and marten; source for all domestic water for the city; substantial recreational value; and the location of the Old Hecta Village historical site. Conflicting uses within the AMSA include: development along the river; logging; road construction; incompatible uses in the tidelands; and mining.

5.5.4.5 Saltery Point-Crab Trap Cove

The Saltery Point-Crab Trap Cove area lies approximately $\frac{3}{4}$ mile southeast of Hydaburg. The Saltery Point area is on Prince of Wales Island, and Crab Trap Cove is located directly southwest across Sukkwan Strait on Sukkwan Island. The Saltery Point area is composed of Saltery Creek and watershed area, the Saltery Creek tidal flats, the waters of Sukkwan Straits (north of Saltery Point) bordered by seven wooded islands, and the uplands of Prince of Wales Island in the Saltery Point area. The entire area of this AMSA is owned by Haida Corporation, although the marine aquatic areas and tidelands are under the jurisdiction of the state. ADFG has management responsibility for the fisheries resources and DNR has responsibility for leases and uses of the tideland area. The Crab Trap Cove area is composed of the creek and its watershed drainage, the tide flats of the cove, the waters of the cove, and the two rock reefs to the north and south of the cove entrance. Each stream is catalogued as an anadromous fish stream by ADFG. Dominant vegetation of the area includes Sitka spruce, western hemlock, yellow cedar, red cedar, alder, and various species of understory brush.

Saltery Creek has runs of pink, chum, and coho salmon, and cutthroat, Dolly Varden, and steelhead trout. The creek emptying into Crab Trap Cove has runs of coho and pink salmon. Other marine life in the area includes Dungeness crab, halibut, octopus, various species of clams, and cockles. Terrestrial wildlife found in the area includes deer, black bear, wolf, mink, marten, and land otter. The area is also a resting and feeding place on the Pacific Flyway for various species of ducks, swans, and geese. There are other bird species that frequent the area as a feeding and nesting area, including shore birds and eagles.

The strong tidal action of Sukkwan Straits greatly influences the area by forming back-eddies around the point and reefs, producing tidal currents and foods that supplement the local marine ecology. The area is protected from the predominantly southerly winds, which makes the Saltery area especially conducive to recreational activity. The natural geography of the area also makes the site particularly conducive to development. Saltery Point is strategically located in relation to substantial timber harvest areas held by Haida Corporation, Sealaska Corporation, and the Forest Service. It is estimated that as much as 500 million board feet of timber could have reasonable and economical access to Saltery Point for transshipment.

The basis for designation of Saltery Point-Crab Trap Cove as an AMSA is the importance for Alaska Native culture and other traditional subsistence use of salmon, Dungeness crab, clams,

and cockles. The area is also important for its recreational values and the presence of an archaeological/historic site.

5.5.4.6 Hetta Cove-Eek Inlet

Hetta Cove and Hetta Lake are located on the western side of Prince of Wales Island in upper Cordova Bay. They are bordered on the west by Hetta Inlet, to the north by Hetta Mountain, to the east by mountains, and to the south by the land mass of Prince of Wales Island. Hetta Cove is the terminus of the watershed drainage from Hetta Creek and Hetta Lake. The uplands are forested with Sitka spruces and western Hemlock, the predominant species. The shoreline and drainage bottoms are forested with alder, cottonwood, red cedar, and yellow cedar. The area has a history of slides, slope failures, and erosion. The subsurface area is rich in mineral resources of potential development. Deer, black bear, mink, and wolves frequent the upland area. The water system and marine life are unique for Southeast Alaska. Hetta Lake and Creek is the largest sockeye salmon producing system in the general area, with four distinct runs. It holds the potential for being one of the largest producers in Southeast Alaska. Other marine wildlife in the area include abalone, halibut, land otter, pink, chum, coho, steelhead, cutthroat, rainbow trout, Dungeness crab, shrimp, and red snapper. Historically, Hetta Cove is an old Haida village site, and one of the first fish hatchery sites. The area was a fish camp site and is still used as one today.

Eek Inlet is located on the southern tip of a peninsula of Prince of Wales Island that divides Hetta Inlet and Sukkwan Straits. To the north lies the watershed, two lakes, and stream system that flow into Eek Inlet. The inlet opens to the south into Hetta Inlet. Eastern and western boundaries are the peninsula tips of Prince of Wales Island. Vegetation of the area includes Sitka spruce, western hemlock, red cedar, yellow cedar, bull pine, alder, and various wild berries. Terrestrial wildlife that frequents the area includes deer, black bear, wolf, and mink. Aquatic resources include sockeye, pink, chum, and coho salmon, rainbow trout, and halibut. The stream and lakes are catalogues spawning and rearing habitat for anadromous fish. The area holds potential for aquaculture projects and has been considered by Haida corporation for possible aquaculture development. There is a cabin in the inlet that is used for recreational purposes, as well as for traditional and customary subsistence harvesting.

The basis for designating Hetta Cove/Eek Inlet as and AMSA is the importance for Alaska Native culture and traditional subsistence harvest of sockeye salmon. The AMSA has other significant features, including five known archaeological/historic sites, recreational values, and fisheries enhancement. Conflicting uses noted in the plan are with logging, mineral development, recreational use, and public access restrictions by private landowners.

5.6 Kake

5.6.1 Land Status

The City of Kake encompasses 8.2 sq. miles of land and 6.0 sq. miles of water. Kake is a first class city incorporated pursuant to Title 29, A.S., and is able to conduct planning, platting, zoning and land use regulation pursuant. Participation within the ACMP is voluntary.

5.6.2 Community Demographics

The City of Kake's population in 2005 was estimated at 598 people. During the 2000 U.S. Census, Kake's population was reported at 710 people, with 21.4 percent Caucasian, 66.8 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000)

The 2000 Census counted total housing units at 288, with approximately 12 used seasonally rather than year-round. The 2000 Census found an unemployment rate of 24.85 percent, although 49.5 percent of all adults were not in the work force. The median household income was \$39,643, per capita income was \$17,411, and 14.61 percent of residents were living below the poverty level. The City, school district and Kake Tribal Corporation are the largest employers. Fishing, seafood processing, and logging contribute considerably to the economy. Sixty-seven residents hold commercial fishing permits. The non-profit Gunnuk Creek Hatchery has assisted in sustaining the salmon fishery. Kake Foods produces smoked and dried salmon and halibut. Turn Mountain Timber, a joint venture between Whitestone Logging and Kake Tribal Corporation, employs residents in logging tribal corporation lands. Southeast Stevedoring, a Sealaska contractor, also provides employment at the log sort yard and transfer facility at Point McCarny.

5.6.3 Subsistence Resource Use

Subsistence remains an important part of the lifestyle for the community of Kake. The residents of Kake gather and use salmon, halibut, shellfish, deer, bear, waterfowl and berries for subsistence use. The harvest of fish, wildlife and plants follows a yearly cycle that is primarily based on the seasonal appearance of fish, game and plant resources and weather conditions. This seasonal round is a regular pattern, although some fluctuation appears from year to year depending on the availability of certain species. Harvesting some intertidal species (cockles, dungeness crab, chitons), fishing (king salmon, halibut, red snapper and herring), seal hunting, and firewood gathering are activities that are continuous throughout the year. In the spring (March-May) Dolly Varden and steelhead trout are among the fish harvested. Many plants and intertidal resources are gathered at this time and an occasional black bear is killed. House logs are usually cut in the spring because they are easier to peel at that time. The fishing effort increases in early summer and continues into the fall as the runs of salmon appear. Late summer is the berry picking season. Although deer are the main resource harvested in the fall, some

waterfowl hunting also occurs at this time. Activities that continue throughout the winter include deer hunting, king crab harvesting, some fishing and some fur trapping. In more recent times, wage employment and regulations have influenced the timing of harvests. (Firman, 1990) A survey of Alaskan communities found that between 1982-1999, the residents of Kake annually consumed 179 pounds of subsistence wild food harvest per person (ADFG, <http://www.state.ak.us/local/akpages/FISH.GAME/subsist/subhome.html>).

5.7 Klawock

5.7.1 Land Status

The City of Klawock encompasses 0.6 sq. miles of land and 0.3 sq. miles of water. Klawock is a first class city incorporated pursuant to Title 29, A.S., and is able to conduct planning, platting, zoning and land use regulation pursuant. Participation within the ACMP is voluntary. The City owns about 60 percent of the land within the current city limits. More land, now outside the City, will be shifting into municipal ownership from Klawock Heenya Corp. as a result of 14 (c) (3) reconveyances. The City owns all of the tidelands.

5.7.2 Community Demographics

The City of Klawock's population in 2005 was estimated at 780 people. During the 2000 U.S. Census, Klawock's population was reported at 854 people, with 41 percent Caucasian, 50.9 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000) The 2000 Census counted total housing units at 368, with approximately six used seasonally rather than year-round. The 2000 Census found an unemployment rate of 15.65 percent, although 39.61 percent of all adults were not in the work force. The median household income was \$35,000, per capita income was \$14,621 and 14.25 percent of residents were living below the poverty level.

The economy has been dependent on fishing and cannery operations in the past, however the timber industry has become increasingly important. Sealaska's logging operations through a contract with Shaan-Seet, Inc. provide employment in logging and ship-loading in the Klawock and Craig area. Forty-seven residents hold commercial fishing permits. The state operates a fish hatchery on Klawock Lake that contributes to the local salmon population. Cannery operations were closed in the late 1980s. City and school district employment are also significant sources of income.

5.7.3 Subsistence Resource Use

Most Klawock residents pursue a subsistence lifestyle to provide food sources. Subsistence resources used by the residents of Klawock include deer, halibut, salmon, shrimp and crab. A survey of Alaskan communities found that between 1982-1999, the residents of Klawock

annually consumed 247 pounds of subsistence wild food harvest per person (ADFG, <http://www.state.ak.us/local/akpages/FISH.GAME/subsist/subhome>).

5.8 St. Paul

5.8.1 Land Status

The City of St. Paul covers an estimated 40.3 sq. miles of land and 255.2 sq. miles of water. It is a second class city incorporated pursuant to Title 29, A.S. and is able to conduct planning, platting, zoning and land use regulation. Participation within the ACMP is voluntary. The island upon which St. Paul is located once was owned by USFWS, but is now mostly owned by the Tanadgusix Corporation.

5.8.2 Community Demographics

The City of St. Paul's population in 2005 was estimated at 488 people. During the 2000 U.S. Census, St. Paul's population was reported at 532 people, with 13 percent Caucasian, 85.9 percent reporting Alaska Native ethnicity, and the remainder other races. (U.S. Census Bureau, 2000) The 2000 Census counted total housing units at 214, with approximately 11 used seasonally rather than year-round. The 2000 Census found an unemployment rate of 14.98 percent, although 41.5 percent of all adults were not in the work force. The median household income was \$50,750, per capita income was \$18,408, and 11.87 percent of residents were living below the poverty level.

The federally-controlled fur seal industry dominated the economy of the Pribilofs until 1985. St. Paul is a port for the Central Bering Sea fishing fleet, and major harbor improvements have fueled economic growth. Trident Seafoods and Icicle Seafoods process cod, crab, halibut and other seafoods in St. Paul. Thirty residents hold commercial fishing permits for halibut. Several offshore processors are serviced out of St. Paul. The community is seeking funds to develop a halibut processing facility. Fur seal rookeries and more than 210 species of nesting sea birds attract almost 700 tourists annually. There is also a reindeer herd on the island from a previous commercial venture.

5.8.3 Subsistence Resource Use

Subsistence has historically been the focus of the local Aleut culture. Halibut and seal are shared and exchanged with relatives living in other communities for salmon and reindeer. Residents of St. Paul subsist on halibut, fur seals (1,645 may be taken each year), reindeer, marine invertebrates, plants and berries. A survey of Alaskan communities found that between 1982-1999, the residents of St. Paul annually consumed 268 pounds of subsistence wild food harvest per person (ADFG, <http://www.state.ak.us/local/akpages/FISH.GAME/subsist/subhome.html>).

6. ENVIRONMENTAL IMPACTS

The programmatic FEIS resulted in OCRM approval of the following changes to the ACMP:

- Revised statewide CMP standards;
- Revision and/or deletion of all district coastal management plans to achieve the revised statewide standards and include coastal district enforceable policies that are less susceptible to subjective interpretation and non-duplicative of existing requirements, including that matters regulated or authorized by state or federal law are not allowable topics for coastal district enforceable policies, unless the policy relates specifically to a matter of local concern;
- Elimination of the original ACMP Coastal Policy Council with transfer of lead agency function from the Division of Government Coordination to the Alaska DNR; and
- Approval of revisions to the ACMP's consistency review process.

Participation in the coastal district plan element of the ACMP has always been voluntary for Alaskan communities. The regulatory changes that were approved as an amendment to the ACMP by NOAA included requirements for making revisions to all district coastal management plans by March 1, 2006, in order for them to comply with the revised statewide coastal policies. Districts that do not have an approved, revised district coastal management plans by March 1, 2007, will no longer have approved coastal district plans to participate in the ACMP. However, these areas will continue to be covered by the state ACMP policies, which are less specific to local area uses than district coastal management plans. Federal consistency will continue to apply to these areas under the CZMA through the State's approved enforceable policies. In addition, districts without an approved district coastal management plan always have the option to develop and submit a plan to the DNR that meets the new requirements.

As a follow-up to the above-referenced amendment, the State is proposing two types of program changes: the first is approval of three revised coastal district management plans (Skagway with four revised AMSA, Hoonah and Pelican), and the second is deletion of five coastal district plans, (Angoon, Hydaburg, Kake, Klawock, and St. Paul) two of which have a combined total of nine designated AMSA. As indicated in Section 5, Description of the Affected Environment, all of these AMSA were designated at least in part due to their importance for subsistence uses and resources. The general environmental impacts associated with ACMP implementation of revised coastal district plans and the other changes that were approved at the time are described in the 2005 ACMP FEIS (pp 150-192).

Overall, implementation impacts of the ACMP's requirements for amending coastal plans and the revised State coastal policies were determined to have neutral effects. OCRM determined that the State is still implementing its federally-approved ACMP, and has successfully implemented changes to avoid the policy redundancy experienced under the previous program structure. Coastal districts will continue to have review authority for resources of local concern,

which is reflected in new standards that are more compliance and management-oriented. However, OCRM also determined that there may be evidence of negative effects to the physical and socio-economic environment related to ethnic and subsistence-oriented populations that may require additional NEPA review when the more-detailed local district plans are submitted by the Alaska DNR to OCRM as program changes to the ACMP. A review of the relevant impacts is provided below to determine if implementation of the three revised and five deleted district coastal management plans (and nine associated AMSA) will cause substantially greater beneficial or adverse environmental impacts than those analyzed under the original ACMP FEIS.

6.1 Subsistence Uses and Resources Effects

6.1.1 Alternative 1 (Approve the ACMP District Coastal Management Plans Changes Amendment [Preferred Alternative])

Alternative 1 would result in the approval of the revised district coastal management plans and the subsistence policies for the Cities of Skagway Hoonah and Pelican, and the deletion of district coastal management plans and nine associated AMSA for the Cities of Angoon, Hydaburg, Kake, Klawock, and St. Paul. As part of the original revisions to the statewide standards and process, the State made significant changes to the statewide ACMP subsistence standards. These included:

- Removal of the coast-wide requirement that districts and state agencies recognize and assure opportunities for subsistence usage of coastal areas and resources;
- Addition of requirements that districts designate subsistence areas where subsistence policies apply. Previously, districts identified areas in which subsistence is the dominant use of coastal resources, and after appropriate consultation designated such areas as subsistence zones where subsistence uses and activities had priority over all non-subsistence uses and activities;
- The standard for addressing impacts from authorized uses within a designated subsistence area has been changed from providing “appropriate safeguards to assure subsistence usage” to “must avoid or minimize impacts to subsistence uses of coastal resources;”
- The requirement for districts sharing migratory fish and game resources to submit compatible plans for habitat management has been removed.

As indicated above, revised coastal district management plans submitted to the ACMP are required to reflect the revised statewide standards. Therefore, all of these changes and their effects previously analyzed in the FEIS can be anticipated for the revised coastal district management plans for the Cities of Skagway, Hoonah, and Pelican. The discussion below focuses on additional, district-specific effects based on the three individual revised district

coastal management plans, followed by a discussion of impacts related to deleting the district coastal management plans and the related AMSA for Angoon, Hydaburg, Kake, Klawock, and St. Paul.

6.1.1.1 District Plan and AMSA Revisions

1. Skagway

Although a large percentage of Skagway's community uses subsistence resources, according to the original district coastal management plan, "[f]ew people in Skagway are totally dependent upon harvesting their food/needs from the sea or land, but many people supplement their family needs with fish and game, berries, and fuelwood." Skagway's economy is largely based on its port and tourism industries, with a primarily non-Alaska Native population.

Skagway's original district coastal management plan did not designate any subsistence areas, and included only the State's subsistence policies. It did not provide any enforceable policies on subsistence specific to the district itself. Under the revised district coastal management plan, the City of Skagway identified and designated subsistence areas and personal harvest use patterns based on previous studies and maps, and provided maps of specific geographic areas important for subsistence use for marine mammals, invertebrates, goats, salmon, and non-salmon finfish. However, as with the original Skagway district coastal management plan, the revised plan only included the statewide subsistence policies that would be applicable to these designated subsistence areas.

With respect to the four revised AMSA included in the City of Skagway district coastal management plan; these AMSA have primarily been designated for port and waterfront planning purposes, and therefore are not a concern with respect to subsistence issues.

Based on this information, approval of the revised Skagway district CMP should not result in any additional effects on Skagway's subsistence uses and areas beyond those already identified in the FEIS. As a result, Skagway can expect to experience only those insignificant effects identified in the FEIS, as described above.

2. Hoonah

The City of Hoonah's original district coastal management plan identified "subsistence or personal use areas," and stated that traditional and customary access to these areas "shall be accommodated unless reasonable alternative access is provided." Previous policies provided that traditional and customary natural resource activities are recognized as important, and maintenance of these use areas and activities "shall be given high priority." In addition, development projects that might conflict with these uses must: (1) identify appropriate safeguards to assure continued access and use of these natural resources; (2) locate, design, construct, and operate projects to avoid significant adverse impacts to such uses; (3) be permitted

only after possible significant adverse impacts have been identified; (4) any losses that cannot be avoided are mitigated in the following sequence: avoid; minimize; restore or rehabilitate to pre-disturbance condition to the extent feasible and prudent; and (5) where loss is substantial and irreversible and cannot be avoided, minimized or rehabilitated, compensate for loss by replacing, enhancing, or providing substitute resources or environments.

Hoonah's revised district coastal management plan limits designated subsistence areas to within 100 feet on either side of the ordinary high water line of: (1) Coho creek extending upstream from the mouth of the stream for the entire length within the Hoonah coastal zone boundary; (2) Shotter Creek and extending upstream from the mouth of the stream to the 200 foot elevation contour; and (3) Garteeni Creek and extending upstream from the mouth of the stream for the entire length within the Hoonah coastal zone boundary (including the creeks). In addition to the ACMP subsistence standards, Hoonah provides extensive maps and detail on district subsistence resource areas and uses within its planning area. The city also included one enforceable policy; development activities, alteration of natural vegetation, excavation, placement of fill, and land clearing are not allowed within the designated subsistence area.

Three elements of the revised plan could potentially result in negative impacts for subsistence areas and uses in the City of Hoonah. First is the limit of Hoonah's designated subsistence area. As described above, subsistence continues to be an integral part of life and culture for the people of Hoonah, with approximately 2/3 of the population being Alaska Native. The City has indicated in its plan that subsistence resources are used extensively by its population throughout the Hoonah planning area, but has limited designation of subsistence resource areas to the three creeks and 100 feet on either side of the length of the three creeks within its coastal boundaries. Second, based on this designation, Hoonah is also limited to applying the State's and its enforceable policy to the smaller area and fewer uses of subsistence resources than may be affected by development or non-subsistence uses. Third, where Hoonah previously could require compensatory mitigation for development that resulted in negative impacts to subsistence resources, the City is now required to apply the State subsistence standard's definition of "mitigation," which is specifically within the district's coastal area, and does not include monetary compensation and the requirement of "no net loss." In addition, the potential negative impacts discussed in the FEIS also apply to Hoonah. However, there are also important factors that are likely to limit these negative impacts to subsistence areas and uses. First, should development be proposed for subsistence areas, either the district could amend its plan to designate subsistence areas, or the State could designate subsistence areas as part of the project review process. In addition, the State will still be able to apply the State ACMP policies to activities occurring outside the district affecting district subsistence uses through CZMA federal consistency reviews. Ultimately, any impacts to subsistence areas and uses in the City of Hoonah are likely to be insignificant.

2. Pelican

The City of Pelican's original district coastal management plan generally describes its subsistence resources and their ranges, and provided one subsistence policy, that "subsistence opportunities must be maintained or enhanced by protecting or improving fish and wildlife populations and their habitats as well as other subsistence resources identified [in this] plan." In its revised plan, Pelican has not designated any subsistence use areas, and therefore is unable to write local enforceable policies relating to subsistence resource uses and resources in the City of Pelican. Nor will the City be able to apply any subsistence policies to any activities taking place outside the district that may affect subsistence uses and resources within the district, although the State will be able to apply the State ACMP policies to activities outside the district affecting district subsistence use through CZMA Federal consistency reviews. However, based on the small size and population of Pelican, the significant role of the commercial fishing and seafood industry in the local economy and the high number of local residents who possess fishing licenses, as well as the remote location of Pelican and its surrounding wilderness designation, approving the revisions to the City of Pelican's coastal district management plan is unlikely to have any significant impacts on subsistence uses and areas.

6.1.1.2 District Plan and AMSA Deletions

1. Angoon (AMSA: Mitchell, Hood, Chaik-Whitewater Bay)

The City of Angoon's original approved district coastal management plan policies stated that: (1) subsistence opportunities had to be maintained or enhanced by protecting fish and wildlife population and their habitats; (2) before a potentially conflicting use or activity was authorized, a study of possible adverse impacts upon subsistence usage had to be conducted with appropriate safeguards provided to assure subsistence usage; (3) districts sharing migratory fish and game resources had to submit compatible habitat management plans; and (4) unless no alternatives existed, access to subsistence resources and areas was not to be restricted. In addition, Angoon identified three AMSA; Mitchell, Hood, and Chaik-Whitewater Bay. As discussed above, these AMSA designations were based on the areas' important archaeological and subsistence resources.

With deletion of the Angoon district coastal management plan and the associated AMSA, Angoon and the formerly designated AMSA will only be covered by the broader ACMP subsistence policies if the State takes independent action to designate subsistence within the former Angoon and AMSA boundaries as subsistence areas. However, in the event that development is proposed for the area or a planning exercise is conducted, both the City of Angoon and the State are still able to designate areas as AMSA at any time, including if negative impacts to the subsistence and other important resources in this area become significant. In addition, other federal and state laws are likely to protect subsistence resources, which would offset any impacts related to loss of the City's participation in the ACMP. Finally, Angoon is a second class city; therefore it is able to apply zoning or other regulations to control development

or other activities within its jurisdiction that may negatively affect subsistence uses and resources. Therefore, OCRM approval of deletion of the Angoon district coastal management plan and the three AMSA designated by the City is unlikely to result in significant impacts to important subsistence uses and activities to this community.

2. Hydaburg (AMSA: Meares Passage-Arena Cove; McFarland Islands-Dunbar Inlet; Jackson Island; Hydaburg River-Tidelands; Saltery Point-Crab Trap Cove; Hetta Cove-Eek Inlet)

With respect to traditional and customary uses of renewable natural resources on district lands, the City of Hydaburg's original district coastal management policies: (1) gave priority to the consumptive use of non-wasteful traditional and customary uses and activities; (2) required study of possible adverse impacts and identification of appropriate safeguards to ensure resource conservation before authorizing potentially conflicting use or activities; (3) required the maintenance and enhancement of public access; and (4) in general pursued cooperation with adjacent landowners and land managers in managing traditional and customary activities. In addition, Hydaburg had designated five AMSA for their subsistence, archeological/historic and recreational importance.

Deletion of the Hydaburg coastal district plan and related AMSA may result in insignificant impacts to subsistence uses and resources in the AMSA. Hydaburg itself is a small, first class city, with a relatively small population, therefore, effects are likely to be limited. The original district coastal management plan policies were broad and relatively nonprotective in scope. In addition, even without district coastal management plan authorities, the city has the ability to conduct planning, platting, zoning, and land use regulation pursuant to Title 29, A.S. However, the AMSA represented a much larger area with important subsistence resources that are no longer subject to the City of Hydaburg's enforceable policies, nor the ACMP's subsistence policies, unless either the city or the State designates these areas as subsistence areas. Mitigating factors include the possibility that either the State or the city could redesignate these areas as AMSA, and coverage by other federal and state subsistence statutes and regulations.

3. Kake

The City of Kake's original district coastal management plan included only one policy, which was to seek the cooperation of the Kake Tribal Corporation in protecting areas within their control that are traditionally and customarily used by Kake people for subsistence activities. While Kake will no longer be participating in the district level of the ACMP, the statewide subsistence coastal policies will continue to apply should the State designate any or all of the City as a subsistence area. Based on other federal and state laws, regulations and programs any development, land use, or activities otherwise planned in Kake or affecting subsistence resources used by the Kake Tribal Corporation will likely be required to seek its cooperation. Therefore, there are unlikely to be any impacts from approval of deleting the Kake district coastal management plan.

4. Klawock

The City of Klawock's original district coastal management plan policies included: (1) recognizing and assuring opportunities for subsistence usage of coastal areas and resources; and (2) ensuring that no development is allowed that would interfere with Klawock River subsistence activities, since subsistence activity occurs along the banks of the Klawock River and in the area of the Klawock River Bridge. Approving the deletion of the Klawock district coastal management plan will reduce ACMP protection for subsistence resource uses and resources specific to the Klawock River. However, Klawock continues to have the ability as a second class city to develop zoning or other land use regulations to address impacts of development in its jurisdiction. In addition, the DNR may, after consultation with the appropriate district, federally-recognized Alaska Native tribes, Native corporations, and other appropriate persons or groups, designate areas in which a subsistence use is an important use of coastal resources as demonstrated by local usage, or if subsistence issues arise, the City may decide to submit a revised district coastal management plan that includes subsistence area designations and enforceable policies. Based on the size of Klawock and the fact that the City's subsistence uses will continue to be covered by other state and federal laws, regulations and programs, the impacts are not likely to be significant.

5. St. Paul

St. Paul's original approved district coastal management plan included two policies regarding development that could adversely affect a subsistence habitat or harvest area. First, the District reserved the right to prepare an evaluation to analyze a proposed use or activity for its potential for significant adverse impacts to subsistence uses, activities, or resources. If a significant adverse impact may result, the District could conduct an evaluation process with the applicant that included: (1) a clear description of the proposal and potential impacts; (2) consultation with the Tribal Council representing the Aleut Community of St. Paul regarding local resource use and subsistence activities; (3) identification and solicitation of specific subsistence concerns; and (4) a finding on whether or not the proposed activity would result in a significant adverse impact to subsistence uses, activities or resources. If the evaluation found the proposed activity would likely result in a significant adverse impact, the District could then submit recommendations protecting the subsistence use, activity, or resource. The District's second policy addressed accommodating traditional and customary access for subsistence use in subsistence use areas, which were identified in St. Paul's plan, unless reasonable alternative access was provided.

Approving deletion of the St. Paul district coastal management plan would eliminate the district's ability to apply these two policies, which are not automatically replaced by the ACMP subsistence policies. The State's policies require: (1) that a project within a subsistence use area designated by the department of a coastal district must avoid or minimize impacts to subsistence uses of coastal resources; and (2) that an applicant shall submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on subsistence use as part of a consistency

review packet or a consistency evaluation. Neither the State nor the City of St. Paul are proposing to immediately designate the City's previously identified subsistence use areas as part of the proposed program change. However the ACMP's subsistence policies could be applied if either the State or the City of St. Paul made such a designation, or St. Paul could adopt a district coastal management plan that included enforceable subsistence policies based on the subsistence area designation. Alternatively, as a second class city, St. Paul it is able to apply zoning or other regulations to control development in subsistence areas within its jurisdiction. In addition, other federal and state laws are likely to protect subsistence resources of importance to the City of St. Paul, which would offset the loss of the City's participation in the ACMP. Based on the fact that the City's subsistence uses will continue to be covered by other federal, state and local laws, regulations and programs, and its continued ability to adopt a district coastal management plan and designate subsistence areas as necessary, the impacts of deleting the current plan are not likely to be significant.

6.1.2 Alternative 2 (Deny Approval of the ACMP District Coastal Management Plans and AMSA Revisions and Deletions Amendment)

6.1.2.1 District Plan and AMSA Revisions

OCRM's selection of Alternative 2 would result in negative effects for the Skagway, Hoonah, and Pelican district coastal management plans, as they would not be approved by the State. Under S.B. 102, district coastal management plans must be submitted and revised and approved by March 1, 2007 in order to continue operating. Coastal districts with approved plans are responsible for participating in both state and federal consistency reviews for projects proposed to be located within the coastal district boundary that have an effect on coastal resources. In addition, a district may participate in consistency review for a project located outside the coastal resource district boundary if the district can demonstrate that the project may have a direct and significant impact on a coastal use or resource within the coastal zone and within the coastal resource district boundaries. If OCRM fails to approve incorporation of the district coastal management programs plans as part of the ACMP, those districts will no longer be able to participate in the state or federal consistency review process for important environmental uses and resources in their districts. In addition, coastal districts would not be able to identify subsistence areas and specific subsistence policies to address these locally-important uses and resources. Also, none of the approved coastal district plans could designate AMSA. Currently, only Skagway is redesignating AMSA. These AMSA would cease to exist under Alternative 2. The broader state coastal policies would only continue to apply if the State chose to identify subsistence areas and AMSA in these districts.

6.1.2.2 District Plan and AMSA Deletions

OCRM's selection of Alternative 2 would have the same effects as described under Alternative 1 for the Angoon, Hydaburg, Kake, Klawock, and St. Paul district coastal management plans and associated AMSA. Even if OCRM denies approval of this program change, these cities have

already missed the State statutory deadline (March 1, 2006) for submitting revised district coastal management plans. According to the State's program change submission, these plans have already been deleted.

6.1.3 Alternative 3 (No Action)

The effects under Alternative 3 would be the same as those under Alternative 1 for both district coastal management plan approval for the Cities of Skagway, Hoonah, and Pelican, and plan and AMSA deletion for Angoon, Hydaburg, Kake, Klawock, and St. Paul. As discussed above in Section 4.3, under the CZMA, if OCRM does not act on a state's proposed amendment to a coastal management plan, the plan would eventually be conclusively presumed as approved. 16 U.S.C. § 1455(e)(2). Therefore, the "no action" alternative would have the same effects as Alternative 1, approval of the State's request for amendment.

7. AGENCIES AND PEOPLE CONSULTED

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8. FINDING OF NO SIGNIFICANT IMPACT

NOAA Administrative Order (NAO) 216-6 (revised May 20, 1999) provides eleven criteria for determining the significance of the impacts of a proposed action. These criteria are discussed below with respect to the proposed action (Alternative 1):

1. Impacts may be both beneficial and adverse—a significant effect may exist even if the federal agency believes that on balance the effect will be beneficial.

Neither the beneficial nor the adverse effects of the proposed action are expected to be significant. As anticipated by the FEIS, the proposed action will result in the improved administration of the three revised district coastal management plans through reduced duplication of policies applied to permit review. However, the changes to the Alaska Coastal Management Program, as originally approved by OCRM limited local districts' abilities to adopt enforceable policies as part of required program revisions, as well as eliminated other districts entirely from participating in the ACMP. Where there have been changes to subsistence use and resource policies, and their application to areas within the state's coastal zone have been limited or eliminated, OCRM has identified potential insignificant negative effects. However, there are also mitigating factors that would offset these effects. Therefore, there are no significant beneficial or adverse effects associated with the proposed action.

2. What is the proposed degree to which public health or safety is affected by the proposed action?

Public health and safety will not be affected by the proposed action. The majority of additional insignificant negative effects to subsistence uses and resources, beyond those identified in the FEIS will be mitigated by the application of statewide subsistence policies and the application of other state and federal laws, regulations and programs. In addition, nothing about the proposed actions changes Alaskan residents' rights regarding access to subsistence resources, which some studies have determined to be important to the health of Alaska Natives.

3. Are there unique characteristics of the geographic area in which the proposed action is to take place?

Several of the geographic areas which the ACMP is proposing to remove from designation as Areas Meriting Special Attention (AMSA) are important for their subsistence use, environmental, and archaeological/historic resources. While these areas will no longer be designated as AMSA and will not be covered by locally-specific district policies, under state law, either the State or the district may elect to designate these areas as AMSA either separately or as part of a district coastal management plan in the future, should development be proposed that would threaten the integrity of these areas.

4. What is the degree to which effects on the human environment are likely to be highly controversial?

It is unlikely that there will be controversy associated with the effects of the proposed action. While the original changes to the ACMP were quite controversial, these follow-up actions represent implementation of the changes which have been approved in general by OCRM. OCRM did not receive any substantive comments on the ROD for the FEIS; therefore, we are surmising that along with submission of revised district coastal management plans, these changes have been accepted by those previously concerned with the general nature of these changes. However, it was OCRM's decision to conduct, at a minimum, an Environmental Assessment to determine any remaining controversy, particularly with respect to impacts on subsistence uses and resources, and the deletion of the five district coastal plans and their associated AMSA. To date, OCRM has not received any comments from the public indicating ongoing concern regarding the proposed program change.

5. What is the degree to which effects are highly uncertain or involve unique or unknown risks?

There are no uncertain, unique, or unknown risks associated with the proposed action. OCRM is not proposing any new actions in the State. The proposed action is implementation of actions that were analyzed in an FEIS published in November 2005. None of the activities associated with changes or deletion of district coastal management plans involve risk.

6. What is the degree to which the action establishes a precedent for future actions with significant effects or represents a decision in principle about a future consideration?

This action is OCRM's review of the first set of district coastal management plan revisions submitted by the DNR under the recent ACMP amendment sets a precedent for upcoming revised district plans that are submitted for future consideration. Based on OCRM's analysis in this document and the finding of no significant impact, it is most likely that OCRM will not continue to conduct NEPA analysis on each district coastal management plan (or group of plans) that is deleted or deletes its AMSAs. In addition, it is OCRM's understanding that the five district coastal management plans and nine associated AMSA proposed for deletion are the only plans that were not revised by the State's statutory March 1, 2006, deadline, and that will be deleted from the ACMP. Since these actions were determined to be the ones most likely to have additional potential negative environmental effects on subsistence uses and resources, OCRM does not anticipate any other program changes submitted by the State revising coastal district management plans to require this level of analysis.

7. Does the proposed action have individually insignificant but cumulatively significant impacts?

The overall action has individually insignificant impacts, the majority of which have already been reviewed in the November 2005 Programmatic FEIS. This action represents eight of the 33 district coastal management plans previously participating in the ACMP.

OCRM anticipates another 25 revised plans being submitted for incorporation into the ACMP before March 1, 2007. As stated in the FEIS and documents published shortly thereafter, OCRM will continue to monitor the implementation of the amendments (i.e., submission of revised district coastal management plans) for any cumulative negative effects to the physical and socio-economic environment related to subsistence resources and community participation for environmental justice purposes.

8. What is the degree to which the action adversely affects entities listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historic resources?

The proposed action will not adversely affect any entity listed in or eligible for listing in the National Register of Historic Places, and the proposed action will not cause the loss of or destroy any significant scientific, cultural, or historic resources. While some of the AMSA that are being deleted contain archaeologically important sites that will no longer be subject to local coastal management plan coverage, these sites will continue to be covered by State law, implemented by State agencies. Should it be necessary and these sites become the subject of development interest, the State may re-designate these areas as AMSA and provide them with this additional layer of protection.

9. What is the degree to which endangered or threatened species, or their critical habitat as defined under the Endangered Species Act of 1973, are adversely affected?

The proposed action includes areas that contain the following endangered and threatened species: Steller sea lion, Sea otter, Humpback whale, and Fin whale. The general effects of changes to the ACMP on endangered and threatened species was documented in OCRM's November 2005 FEIS on the Amendment to Alaska's Coastal Management Program. There is no weakening of existing laws protecting threatened and endangered species or their critical habitat under the proposed changes to the ACMP, therefore, the threatened and endangered species should not be adversely affected by approval of the revised and deleted district coastal management plans and associated AMSA. These areas will continue to be protected under the statewide ACMP policies.

10. Is a violation of federal, state, or local law for environmental protection threatened?

The proposed action involves the approval of revisions to three local coastal management plans and the deletion of five others, along with their associated AMSA. The law allowing the State to make these changes was adopted by the State and approved by OCRM as part of its enforceable coastal management policies. None of these activities will result in violation of a federal, state, or local law.

11. Will the proposed action result in the introduction or spread of a nonindigenous species?

The proposed action does not involve any physical activity that could result in the introduction or spread of a nonindigenous species. Approval of the revised and deleted coastal management plans will not weaken any existing State laws in the coastal area related to regulating nonindigenous species.

FONSI STATEMENT

In view of the information presented in this document, and the analysis contained in the supporting EA prepared for approval the ACMP's request to incorporate three district coastal management plans (Cities of Angoon with associated AMSA, Hoonah, and Pelican) and delete five district coastal management plans (Cities of Angoon and Hydaburg with associated AMSA, Kake, Klawock, and Pelican), it is hereby determined that approving incorporation of these changes to the ACMP will not significantly impact the quality of the human environment as described above and in the supporting EA. In addition, all beneficial and adverse impacts of the proposed action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an Environmental Impact Statement for this action is not necessary.



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Date